

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

HOUSE CONCURRENT RESOLUTION 2025

A CONCURRENT RESOLUTION

RECOGNIZING GUN SHOWS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Whereas, the Arizona Constitution, in article II, section 26,
2 recognizes an individual right to bear arms by stating unambiguously that,
3 "The right of the individual citizen to bear arms in defense of himself or
4 the State shall not be impaired"; and

5 Whereas, the United States Court of Appeals for the Fifth Circuit, in
6 United States v. Emerson found, in harmony with long-standing United States
7 Supreme Court jurisprudence, that the phrase "the right of the people" used
8 in the Second Amendment to the United States Constitution is as much of an
9 individual right guarantee as the identical phrase in the First, Fourth,
10 Ninth and Tenth Amendments; and

11 Whereas, courts have found that gun shows are places where citizens
12 exercise their First Amendment rights to free commercial speech and to
13 peaceably assemble; and

14 Whereas, in order for law-abiding residents to exercise their state
15 and federal constitutional rights to keep and bear arms they must have the
16 means of purchasing and transferring arms by engaging in a system of free
17 enterprise and commerce; and

18 Whereas, since territorial days, gun shows have provided the state's
19 citizens with a place where like-minded people are able to gather to exercise
20 their rights and to be freely involved in the exchange of firearms and
21 related equipment and supplies; and

22 Whereas, thousands of Arizonans attend gun shows annually to take part
23 in wholesome family events that generate substantial positive economic and
24 commercial impact on the state and its political subdivisions; and

25 Whereas, the so-called gun show "loophole" is a fallacy generated by
26 groups whose ultimate goal is to eliminate gun shows and all private firearms
27 transactions; and

28 Whereas, the same federal and state laws that apply to firearm
29 transfers outside of gun shows apply equally to all transfers inside gun
30 shows; and

31 Whereas, the United States Bureau of Justice Statistics, a division of
32 the Department of Justice, in a survey of more than 18,000 prison inmates
33 documented that less than 0.6 per cent of criminals who used firearms
34 acquired their firearms from gun shows; and

35 Whereas, terrorist organizations are based in areas of the world that
36 are awash in weaponry not available at gun shows, including fully automatic
37 firearms, rocket launchers, grenades, mortars and other explosives. The
38 claims that these terrorist groups are acquiring their weaponry from American
39 gun shows are baseless in fact; and

40 Whereas, the terrorist attacks against this nation are being
41 manipulated by special interests to advance their political agenda; and

42 Whereas, this state believes the primary responsibility of government
43 is to preserve the freedom of its residents.

1 Therefore

2 Be it resolved by the House of Representatives of the State of Arizona, the
3 Senate concurring:

4 1. That the Members of the Legislature recognize that gun shows
5 provide a safe, historical, valuable and indispensable community service for
6 those citizens who choose to exercise their constitutional rights.

7 2. That such peaceable public assemblies should be protected from
8 those who would further regulate, encumber or eliminate them through a
9 campaign of misinformation.

PASSED BY THE HOUSE MARCH 4, 2003.

PASSED BY THE SENATE MAY 5, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 6, 2003.

Passed the House March 4, 2003

by the following vote: 39 Ayes

18 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate May 5, 2003

by the following vote: 19 Ayes

9 Nays, 2 Not Voting

Klu Blunett
President of the Senate

Charmian Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Resolution was received by the Secretary of State

H.C.R. 2025

this 6 day of May, 2003

at 12:00 o'clock P. M.

Janice K. Brewer
Secretary of State